

The Community Development Committee held a meeting on **Monday, April 9th, 2024** beginning at 6:00 P.M.

Committee Members Present:

CD: Chair Callahan, Mitchell, Schneider, Oswald

Finance: Chair Tollett, Davis, Schneider, Cerra

Others: Armstrong Not in attendance: Siwierka, Stewart, Lipian

Administration and Department Heads Present: Mayor Brubaker, Safety Service Dir Pyanowski, Finance Dir Pileski, Asst Finance Dir Farrell, Law Dir Deery, Public Works Supt Conner, Engineer Schneider, Building Official Farkas and Police Chief Pelko

1. Approval of Community Development Mtg Minutes ~ March 25th, 2024.

Mr. Oswald moved and that was second by Mrs. Mitchell to approve these minutes.

MOTION CARRIES

2. The matter of a Conditional Use request for a Day Care Center to be located at 250 Winckles Street. Referred By: Business Owner Cheryl Carter

** Note: This matter was passed by Planning Commission on April 2nd, 2024.*

Cheryl Carter is the business owner, her address is 1312 Missouri Ave., Lorain, Ohio. She is excited about opening up the Day Care Center on Winckles Street. That location has been a day care center for many years. The previous owners were wonderful people but they sold the business because it was a little too much for them after the new laws that went into effect after Covid. They thought she would be a perfect fit to reopen the daycare center because of her experience and her love for children. She hopes the committee will consider for her to open this daycare center back up to create a safe environment for young children.

Mr. Oswald said he was at the PC meeting. Normally he is not for these type of businesses in residential areas. But, this location has been a daycare as long as he can remember. He feels the fit in that neighborhood is good as long as the community around it are okay with it. There are businesses around it, across the street is Ridge Tool and businesses down the street. He is asking for the committee to support this because we do need good, qualified day care in the community.

Mr. Schneider thanked Ms. Carter for her investment in Elyria and he asked if she is the building and the business owner?

Ms. Carter said yes. She said she was raised in Elyria and got her degree from LCCC and has been doing child care since 2007. She also helps children with The Ohio Reads program.

Mrs. Davis commended Ms. Carter for what she does for children. She asked how school aged children fits into the day care?

Ms. Carter said she offers after school care and before school care for latch-key kids. She opens at 5:30 A.M. and is open till 6:00 P.M.

Mr. Oswald asked how many employees she will have?

Ms. Carter said she will have around 10; a bus driver, cleaner, cook, at least 5 teachers, because there are 4 separate rooms for different age groups. She is working with Ohio Means Jobs, they're going to help her get these employees.

Chair Callahan said this was passed by PC on April 2nd, however there were conditions and he asked Building Official Farkas to explain those conditions.

Building Official Farkas said PC did approve this with contingencies. There are several variances that are needed due to set-backs, as was indicated, the structure has been there quite a while, but it has lost its non-conforming status. The set-backs for the front yard and side yard still have to be pursued.

Law Dir Deery asked what the status of the variances are?

Official Farkas said to his knowledge they have not received the application for those variances, as of yet. He said the next step would be for the applicant to apply through PC for the variances. Then PC would hear the case and they would make the decisions on the variances.

Law Dir Deery suggested that should the committee wish to decide and pass a committee report this evening, that the report would be held in abeyance until the further conditions for the variances are met. Full council wouldn't be able to pass any meaningful legislation as far as the conditional use as long as there are conditions out there. There is no reason why the committee wouldn't be able to make a decision on the conditional use now, but as far as any legislation being drafted, they would have to wait and see what happens as far as variances.

Mrs. Mitchell asked Ms. Carter if she is in the process of applying for that variance.

Ms. Carter said she thought she had paid for the variance on the previous application when she applied for the Conditional use, she will check with her attorney.

Mrs. Mitchell said she doesn't have a problem with approving this, this is an area where daycare is definitely needed. Mrs. Mitchell suggested that Ms. Carter work with Mr. Farkas to get that process going and she wishes her much success.

Mr. Schneider asked if there is a timetable, if this Conditional Use is approved and they are still waiting for variances, would the Conditional Use expire?

Law Dir Deery said she would need to defer to Attorney Craig who represents PC and Mr. Farkas. She doesn't think the PC's recommendation or the committee's recommendation has an expiration date on it. If Council would take action on it, the clock would start ticking.

Chair Callahan asked if the Mayor would like to weigh in on this topic?

Mayor Brubaker said they will work with Attorney Craig to make sure the correct variances get taken care of.

Mrs. Mitchell stated that the application was marked for conditional use and variances. Building Official Farkas said the original application came in for both, but, a specific code section was not listed on the application, which indicated they were applying for a 'blanket variance'. The exact code section must be filled in so the department knows what they are appealing in order to make it a proper variance.

Mr. Oswald asked if this could fail if they don't get the proper variances?

Law Dir Deery said essentially this matter would be approved by the committee and hit a 'pause button'. It will move forward with legislation once they have the confirmation from the Building Official that the variances have been met.

Chair Callahan read the committee report and asked for a motion.

Motion Made by Mrs. Mitchell and second by Mr. Schneider to authorize an ordinance granting the Conditional Use permit for the 'said' child care center, this matter was passed with PC with conditions, which will need to be met before legislation can be drawn.

MOTION CARRIES COMMITTEE REPORT WRITTEN

3. The matter of accepting the dedication of certain lands, easements and right-of-way as provided in the Final Plat of Harvest Meadows Subdivision Phase 3.

Referred By: Jeffrey Rutushin, K Hovnanian

** Note: This matter was passed by Planning Commission on April 2nd, 2024.*

Jeffrey Rutushin, of K Hovnanian is here to present the Phase 3 plat for Harvest Meadows for approval. Harvest Meadows is a four-phase subdivision and we are currently on Phase 3. There will be a fourth phase of the subdivision which was approved as part of R PUD process in 2021.

Currently there are 127 lots that have been previously plotted as part of Phase 1 and Phase 2 and they are currently actively building homes in both of those phases. Phase 3 will consist of 59 lots and they are underway with construction on site right now. Currently underground wet utilities are being installed and they are scheduled to start pavement in about 30 days. They expect final lots for Phase 3 to be completed by the beginning of August. For this third phase, they will be providing a second entrance onto Indian Hollow Road and they will also be installing landscaping and entry fencing to match what's already there.

Chair asked for questions or comments and there were none and he read the Committee Report and asked for a motion.

Motion Made by Mr. Oswald and second by Mr. Schneider to authorize an ordinance for the approval of the Final Plat of the 'said' subdivision.

MOTION CARRIES COMMITTEE REPORT WRITTEN

There was NO JOINT Meeting scheduled for this evening and Chair Callahan asked for a motion to adjourn.

Motion was made by Mr. Oswald and seconded by Mrs. Mitchell to adjourn the Community Development portion of this evening's meeting at 6:25 P.M.

MOTION CARRIES

The evening's meetings continued with the Finance Committee Meeting which began at 6:28 P.M.

Respectfully Submitted by,

Colleen Rosado, Secretary/Administrative Assistant